

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:

JEANNA HAMPSTEAD CANNAROZZO,

Debtor.

CASE NO. 13-01018-PMG
CHAPTER 13

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM ONE (1) OF SURF CONSULTANTS AS SUCCESSOR TO COMPASS BANK
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by Surf Consultants as Successor to Compass Bank. (Claim One) and to Strip Lien (the "Motion") filed May 28, 2013 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

1. The Motion to Determine Secured Claim Status of Claim One (1) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim One (1) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

**LOT 293 HAMPTON PARK UNIT TWO ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 55, PAGE(S) 61, 61A, 61B, 61C, 61D, AND 61E OF THE
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.**
4. The mortgage held by Surf Consultants as Successor to Compass Bank.. recorded on September 28, 2004 at Book 12060, Pages 1683 through 1687, Instrument No. 2004308827 of the official records of Duval County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter

13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Surf Consultants as Successor to Compass Bank lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this *August 5, 2013*

Paul M. Glenn

PAUL M. GLENN
United States Bankruptcy Judge

Attorney Christopher R. DeMetros is directed to serve a copy of this order on interested parties and file proof of service within 3 days of entry of the order.

Surf Consultants, Inc.
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(Designated Agent at business address)

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U. S. Trustee's Office
(by electronic notification)

Douglas W. Neway
(by electronic notification)

Jeanna H. Cannarozzo
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(debtor)

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
CLERK NO. *7783*